

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-24770-2023

Date of decision : 06.11.2023

Yadvender

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Dr.Suresh Kumar Redhu, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl.A.G. Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to promote the petitioner to the rank of Exemptee Assistant Sub Inspector w.e.f. 26.09.2014 and Exemptee Sub Inspector w.e.f. 26.09.2022 respectively on completion of 22 years and 30 years qualifying service in view of standing order no.127/2008.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 01.10.2023 (Annexure P-2) to the respondents and at this stage, would be satisfied in case respondent no.4 considers the said legal notice in a time bound manner and if after considering the same, in case, the pleas raised by the petitioner are found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the respondent no.4

would consider the legal notice and decide the same within a period of 8 weeks from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.4 to consider the legal notice dated 01.10.2023 (Annexure P-2) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 8 weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 8 weeks from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and respondent no.4 would consider and decide the legal notice independently, in accordance with law. It would be open to respondent no.4 to look into all the aspects including delay etc.

(VIKAS BAHL)
JUDGE

November 06, 2023.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No